



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

ELM  
F. #2015R01787

*271 Cadman Plaza East  
Brooklyn, New York 11201*

June 12, 2017

By Hand and ECF

The Honorable Dora L. Irizarry  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: United States v. Dan Zhong and Landong Wang  
Criminal Docket No. 16-614 (DLI)

Dear Chief Judge Irizzary:

I am assigned to the government's filter team in the above-captioned matter. I am not involved in the government's prosecution team. Pursuant to the Court's May 22, 2017 Order, the government filter team has prepared the following update detailing the status of the review of potentially privileged documents collected or seized by the government during the course of its investigation in the above-captioned matter (the "Filter Review Materials").

On May 24, 2017, the government filter team produced the contents of a personal email account associated with the defendant Dan Zhong, zhongdan515@msn.com, received as the result of a search warrant. This production contained approximately 14,950 documents, or 3.6 gigabytes ("GBs") of data.

At this stage, the government filter team is continuing to review for privilege the following Filter Review Materials: (1) approximately 125 GBs of data consisting of returns of search warrants executed at email service providers; (2) data collected from electronic devices (such as mobile phones, computers, hard drives and portable memory cards) seized pursuant to search warrants; and (3) hard copy documents seized pursuant to search warrants. At this time, the government does not have an estimate of the size of the data collected from electronic devices because some of that data is awaiting forensic processing by the Federal Bureau of Investigation's Computer Analysis Response Team ("CART"), and have not yet been analyzed and added to the filter team review platform.

The government filter team notes that the process described above is complicated by the presence of foreign language documents, which will be required to be translated for the filter review. A dedicated FBI linguist is assisting the filter team in its review of the foreign language documents within the Filter Review Materials.

In light of the high volume of data contained within the Filter Review Materials that have been processed to date, the uncertain volume of data contained within those electronic devices awaiting forensic processing for review, and the uncertain volume of data requiring translation in advance of filter team review, the filter review team proposes the following discovery schedule, consistent with its understanding of the schedules set by the Court in the above-referenced matter:

- The filter team will tailor its review of the Filter Review Materials in order to prioritize the review of those documents that are most likely to contain relevant, discoverable information. In particular, the filter team is prioritizing the review of any communications involving the defendants.
- The filter team will provide non-privileged Filter Review Materials to the prosecution team on a rolling basis, so that the prosecution team can determine the relevance and discoverability of those materials with the goal of making a production of discoverable non-privileged Filter Review Materials within 30 days of the date of this letter.
- The filter team will provide a further status update and updated discovery schedule to the court on July 24, 2017.

The government filter team anticipates that, by the time of the July 24, 2017 status update, it will have had an opportunity to evaluate the volume of data contained within those Filter Review Materials currently awaiting processing by the CART team and the volume of foreign language materials, and will include those details in its status update.

Respectfully submitted,

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